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Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee

Rapporteur: Mr. Santiago **Wins** (Uruguay)

I. Introduction

1. The previous recommendation made by the Fifth Committee to the General Assembly under agenda item 132 appears in the report of the Committee contained in document A/56/731.

2. The Fifth Committee resumed its consideration of the item at its 43rd, 44th and 53rd meetings, on 5, 6 and 19 March 2002. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/56/SR.43, 44 and 53).

3. For its further consideration of the item, the Committee had before it the report of the Secretary-General on the revised estimates resulting from the strengthening of the role of internal oversight services at the International Tribunals for the biennium 2002-2003 (A/C.5/56/30/Add.1). At the 43rd meeting, the Committee heard a related oral report by the Chairman of the Advisory Committee on Administrative and Budgetary Questions (see A/C.5/56/SR.43).

II. Consideration of draft resolution A/C.5/56/L.51

4. At the 53rd meeting, on 19 March, the representative of Norway and coordinator of the informal consultations on this item introduced, on behalf of the

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Chairman, a draft resolution entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994" (A/C.5/56/L.51).

5. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.51 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the report of the Secretary-General on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[1]

Having also considered the revised estimates resulting from the strengthening of the role of internal oversight services at the International Tribunals for the biennium 2002-2003,[2]

Having further considered the reports of the Advisory Committee on Administrative and Budgetary Questions,[3]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the International Tribunal for Rwanda and its subsequent resolutions thereon, the latest of which was resolution 56/248 of 24 December 2001,

1. *Reaffirms* the provisions contained in its resolution 56/248, subject to the provisions of the present resolution;

2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

[1] A/56/497 and Add.1.
[2] A/C.5/56/30 and Add.1.
[3] A/56/666 and A/56/717; see also A/C.5/56/SR.43.

3. *Decides* to approve the staffing table for the International Tribunal for Rwanda for the biennium 2002-2003, as recommended by the Advisory Committee;

4. *Decides also* to approve resources for the continuation of oversight functions at the International Tribunal for Rwanda for the remainder of the biennium 2002-2003 in the amount of 493,300 United States dollars gross (398,800 dollars net);

5. *Requests* the Secretary-General to take all necessary steps to address accountability, management and efficiency problems at the International Tribunal for Rwanda and to report to the General Assembly on the measures taken;

6. *Regrets* the delay in the issuance of the comprehensive report on the results of the implementation of the recommendations of the Expert Group to Conduct a Review of the Effective Operation and Functioning of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda, and reiterates the request for the submission of the report for consideration by the General Assembly at its fifty-seventh session;

7. *Requests* the Secretary-General to ensure the completion of the report on the likely long-term financial obligations of the United Nations with regard to the enforcement of sentences for consideration by the General Assembly at its fifty-seventh session;

8. *Decides* on a revised appropriation for the Special Account for the International Tribunal for Rwanda of a total amount of 197,127,300 dollars gross (177,739,400 dollars net) for the biennium 2002-2003;

9. *Decides* to review assessments at its fifty-seventh session in the context of the annual performance report.